

Atty. Dkt. No. 063391-0202

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Matthew P. Patricelli  
Title: ACTIVITY BASED PROBE ANALYSIS  
Appl. No.: 10/049,164  
Filing Date: 10/21/2002  
Examiner: M. Ceperley  
Art Unit: 1641

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<u>Joy Day</u> (Printed Name)	
<u>Joy Day</u> (Signature)	
September 7, 2004 (Date of Deposit)	

**RESPONSE TO RESTRICTION REQUIREMENT  
AND PRELIMINARY AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed July 6, 2004, Applicant hereby provisionally elects Group I, claims 1-13, for examination, with traverse.

Prior to examination of the present application, Applicant respectfully requests that the application be amended as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 11 of this document.

Please amend the application as follows: